

**1993**

# **SQUATTERS HANDBOOK**



**DON T GO WITHOUT  
HOUSE YOURSELF.**

**SQUATTERS  
INFO**

**FRIDAYS 5-5  
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## WHY SQUAT?

The first squatters arrived in Australia in 1788. They set up a colony, massacring indigenous people and taking the land which they never considered owning. The local people had a special relationship with the land which provided everything they needed to survive. In contrast the invaders came from a culture where the law was based on property and ownership.

There have been squatters for as long as there's been the concept of owning land, and squatting on land or in buildings which officially belong to someone else, takes place all over the world. For millions of working-class and poor people it is absolutely basic to their survival.

There are probably as many reasons for squatting as there are squats, but one thing all squatters have in common is poverty - they are either earning a low income or are unwaged workers collecting income, if anything.

The private rental market is controlled by greedy estate agents and land owners who often discriminate on the basis of age, race, gender, marital and employment status etc. The extra high rents demanded often make it impossible for low income people to afford. And yet, many privately owned houses remain empty.

Public housing doesn't provide an immediate solution either. Most people applying for public housing face a waiting period of between 5 and 15 years. It is estimated that the Ministry of Housing leaves around 2000 houses and flats empty, while people wait years for a house. Other government departments, councils, Telecom, S.E.C., etc. also leave many houses empty. So all in all there are thousands of houses and buildings left empty and rotting, while people in need are left homeless or in substandard shelter.

After exhausting all other possibilities, many people turn to squatting as a solution to their housing problems, either temporarily or on a long term basis. It provides immediate shelter and frees up money (usually paid out for rent) to go to other necessities such as food and clothing. Ultimately it can break the vicious circle of poverty, homelessness, poverty etc. It is also an empowering tactic to resist the system that treats us like products and takes away our basic rights to food, clothing and adequate affordable housing. Through squatting, we can solve our own homelessness, and at the same time fight for a better standard of housing, one based on need not greed!

## FINDING A HOUSE AND SETTLING IN - DIFFERENT APPROACHES

The easiest way to find a house is to walk around a local area. It is not hard to tell if a house is vacant - look for an unkept garden/ broken or boarded up windows/ uncollected mail and other tell tale signs. You may want to ask a postie , a local shop owner or a neighbour if anyone is living in a house you think is empty. ( It may help to make out you're looking to rent, although being honest is sometimes just as successful.)

It is important to know who owns a building you squat or consider squatting. An easy way to find out can be to check the letter box or ask the neighbours.

Failing this you can go to the rates department of your local council. Brunswick Richmond and some others will only give you information about a property if you say you are a neighbour, so you may need the name of a tenant next door. A story saying why you want the owner's name will be useful; such as the fence is falling down, trees are causing damage, etc.

If there are plans for the house to be demolished or renovated, these would be submitted for approval at the town planning department of your local town hall. Anyone can go there and ask.

The Land Titles Office will also tell you who the owner of a property is. Their records are not kept by addresses, but by distance in metres from the nearest street corner. They will charge a fee of \$7 for each enquiry and a bit more if you only have the address of a property. Also some councils may charge a few dollars for rates searches.

Most people will find out this information before moving in, but you may choose to squat first and find out who the owner is later.

Empties may be owned by individuals, companies or government departments. Depending on their attitudes and the reasons why they've left the building empty you can expect mixed reactions from them. (Some government departments already have policies on evicting squatters, eg. M.O.H. and Defence.) Here are some ideas to help you decide what approach you want to take with the owner.

Deceased estates aren't really owned by anybody. They are being looked after by public trustees until a relative or private trustee can be found. The public trustees aren't likely to evict you unless they find out that you're there, so it's a good idea not to tell them. In some cases it can take years for a private trustee to be found.

You may choose to contact the owner before you move in , explaining that you are homeless, on a low (or no) income and want to live in the house as a caretaker, looking after the place and keeping vandals out.

It is very easy for the owner to refuse you when approached like this, so you may prefer to move in first. This way you can create a home, doing any necessary repairs and work on improving the property so that when you contact the owner she/he may be impressed that you are putting work into the place. You may want to invite her/him around to see what you've done.

If or when to contact the owner is a hard decision to make. Some owners may appreciate your effort to contact them, rather than waiting till they find you in their property, and if they've had problems with vandalism before, they may like the idea of having you look after their place. If this works it can be particularly good because you will have an idea of how long you can stay, or at least be given some notice before eviction.

However some owners will be shocked or outraged that you are living in their property and will evict you as soon as they find out you're there. This is why you may choose to wait until the owner comes around, as it may mean you have more time in your squat.

Sometimes people who don't own the house may come around (police or people pretending to be the owner). If you know who the owner is you can tell them they have no right to be bothering you as you have an agreement with the owner.

As a squatter you may choose not to tell anyone you are squatting, perhaps because you don't feel comfortable with the fact that you can't afford to rent or own your own home , or maybe you just feel your squat will last longer if you're quiet about it - this is often the case. There is no need to tell the D.S.S. or other bureaucracies (SEC Gas and Fuel etc.) that you are squatting - it is none of their business. It can be a good idea to talk to your neighbours, letting them know why you're squatting, because they may be supportive, especially at eviction time. You may even decide to leaflet your area to get community support, or to start a local squatting group.



## MAINTENANCE

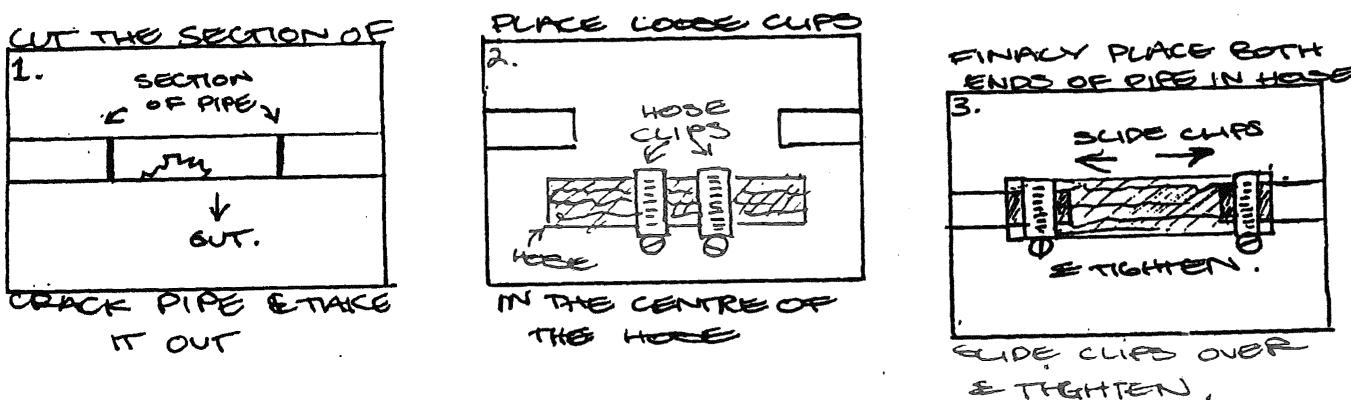
Most empty houses are old and ill-equipped in terms of living standards, some are not fitted with up-to-standard essential facilities. There may be problems with water-pipes, hot water units, leakages, electricity, etc.

To ensure that the house functions to your living standards and satisfaction, repairs will have to be done. In most cases, the problems aren't very big, so you can repair them yourself (as tradespeople are quite expensive). So here are some helpful hints:

General D.I.Y. plumbing:

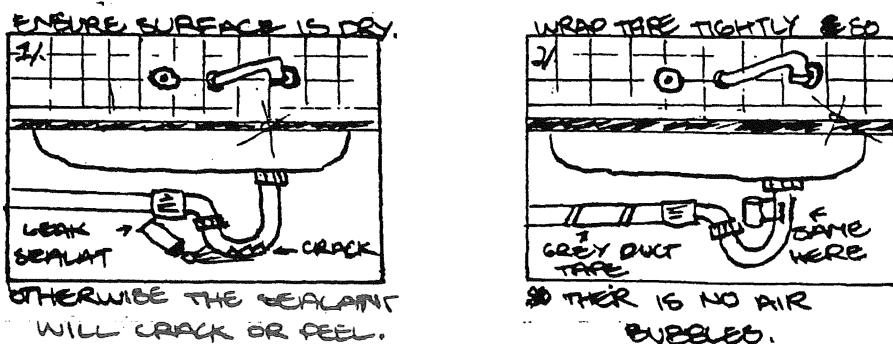
### 1. Broken copper pipes

Make sure water mains is turned off. Broken/cracked water piping (most houses have copper) can be cut and repaired. To go about it, cut out the cracked section with a hacksaw as shown in Diag. 1. Then get a piece of garden hose and 2 hose clips, to ensure that there are no leaks. Get the right sized hose clips to fit the hose to the pipe. Put the clips in the centre of the hose piece, then slip the copper pipe into one end and the other(Diag. 2) Place the clips either side of the hose and tighten the clips with the right screwdriver (Diag 3)



### 2. Cracked P.V.C.(Plastic) pipes

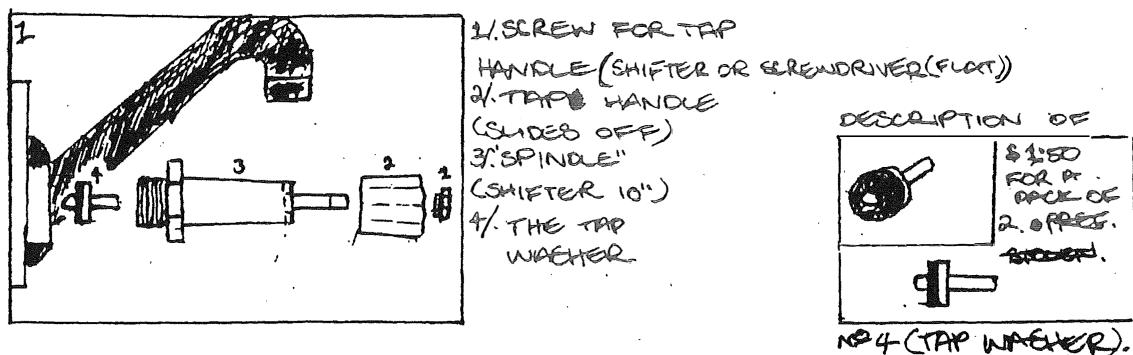
Cracked and/or leaking pipes are very easy to repair. If you have cracks in bends i.e. traps under sinks, basins, take to it with a leak sealant (Diag 1). When using a sealant, ensure that the surface is dry for better and longer sealing. If it is a straight section of pipe, get some "grey" duct tape and secure it tightly around the pipe, so that there are no air bubbles. Again there has to be a dry surface for better sealing.



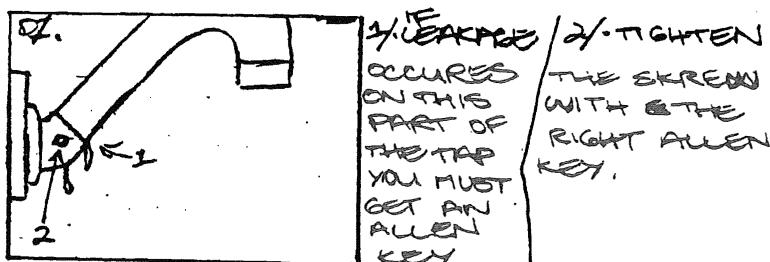
### 3. Leaking taps

There may be 2 problems with leaking taps

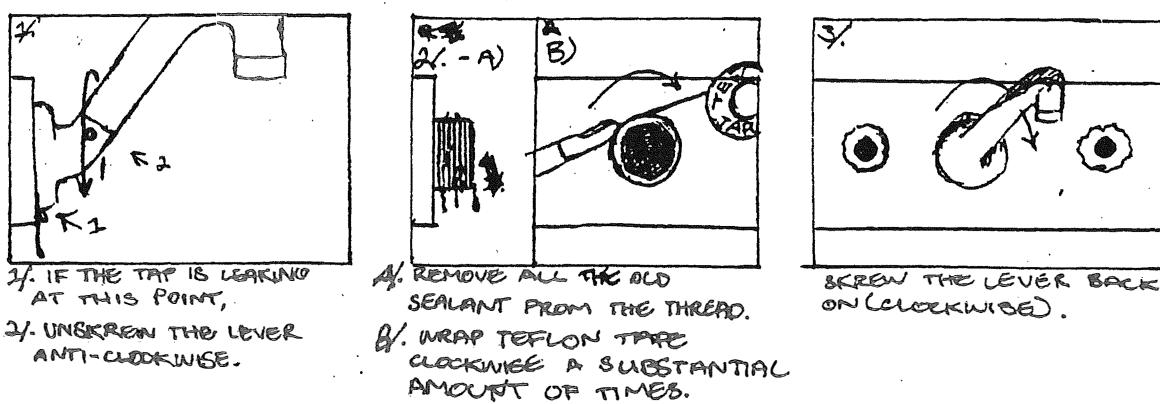
- A) When the tap is leaking while it is off, then the problem is in the spindle (Diag 1)
- 1) Generally leakages from taps is caused by an old and deteriorated tap washer. To get at it, 1) Make sure the water mains is off, 2) take the handle off, 3) remove the spindle with the right sized shifter (10"), 4) replace tap washer as in Diag 1.



- B) If the tap is leaking at the bottom and not the outlet (Diag 1), then you must get an Allen key to fit the screw. Enquire at a plumbing supplies store to get it, and simply tighten the screw.



- C) If the tap is leaking at the joining of the lever, then the water must be turned off, obtain some teflon tape (from plumbing supplies), unscrew the lever with a pair of footprints or plumb wrench, wrap the tape clockwise to prevent further leakage and screw the lever back on.

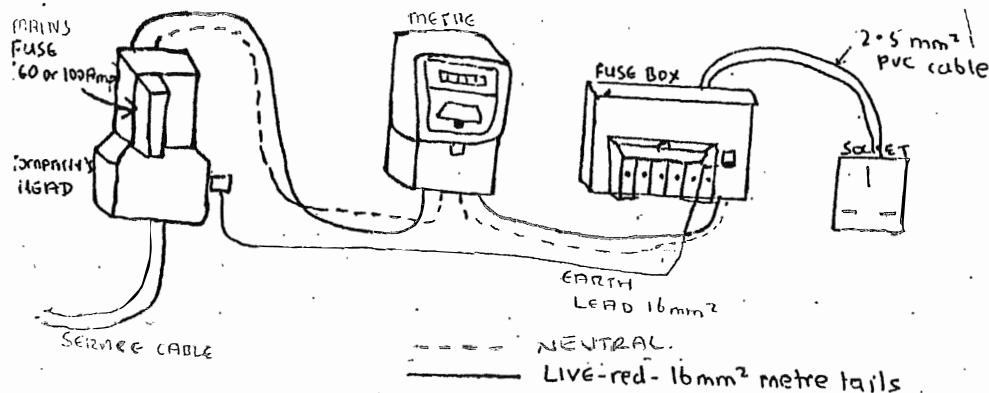


### 4. Roof leaks

Most roof leaks can be fixed with tube silicon and gun. Try not to get Dow Corning if possible.

## ELECTRICS

Once you've squatted your house or flat and secured it its important to check that theres a supply of electricity coming in. You might be lucky and be able to put a lightbulb in and find it works immediately but otherwise see if there's a mains fuse (see diagram). Flats on estates usually have the mains fuses in a box on the landing- sometimes with the number of the flat marked. In houses the mains fuses are usually near the front door or in the basement. If the house used to be divided into flats there will be one mains fuse for each flat. If there is no mains fuse in you can buy one from some electrical shops or try or get one from a derelict house (it make take some trial and error to get the right type). Before you put in a mains fuse make sure there are no wires anywhere in the house touching- if there are the fuse will blow.



If you put the mains fuse in and the electrics still don't work TAKE THE MAINS FUSE OUT and check that the metre tails (see diagram) are connected properly. If there is no metre you can join the 2 red cables together and the 2 black cables together. You can do this with insulating tape, but it is safer to use a Henley box to connect them (get from electrical shop).

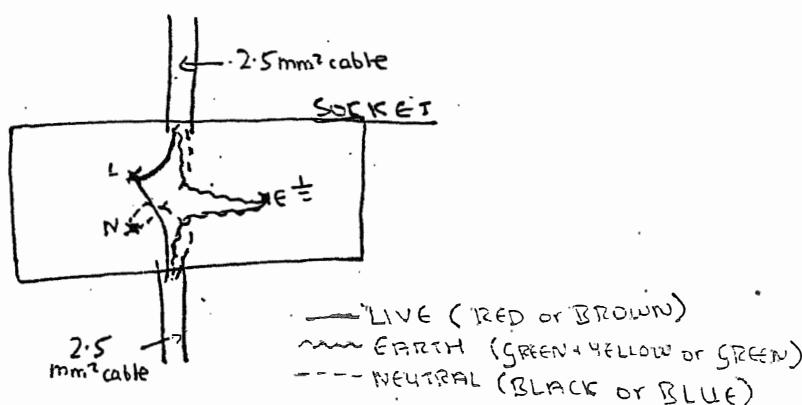
It is really important that you take out the mains fuse if you do any work between the mains fuse and the fuse box- so that the metre tails are not live. If you do any work after the fuse box (in the house) you only need to switch the fuse box off.

Check there are no loose wires in the fuse box and make sure that there are fuses in. You need-

- 5 Amp fuse for lights- 1.00mm or 1.5mm cable.
- 15/20 Amp fuse for sockets on a radial circuit- 2.5mm cable.
- 30 Amp fuse for sockets on a ring circuit- 2.5mm cable.
- 15 Amp fuse (must have its own circuit) for immersion heater/sink water heater- 2.5mm cable.
- 30 Amp fuse (must have its own circuit) for shower- 6.00mm cable.
- 30 Amp or 45 Amp fuse for cooker- 6.00mm or 10mm cable.
- Sockets- The cable used to connect the sockets on the circuit is 2.5mm PVC cable.

If the fuse blows it could be because the circuit has overloaded- there was too much power being used (heating devices usually rather than record players, fridges, lights, etc). If you have a rewirable fuse you need only to replace the fuse wire (make sure its the right size). If the fuse blows again- when no appliance are being used- then take the fuse out or switch the fuse box off- and undo the sockets to see if any wires inside are touching each other. If there is- connect them back into the correct terminals.

Diag-

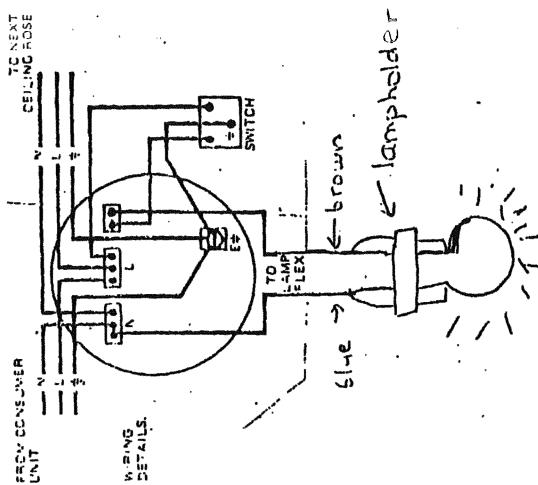


In sockets there will either be 1,2 or 3 cables coming into boxes. Remove the outer sheathing of each cable- and then strip some of the colour-coded insulation from each separate wire. Connect the lives into the "L" terminal, the neutral into the "N" terminal and the earths into the "F" or **E** terminal. If there is only 1 cable then double the wire back before you screw it in.

## Light Circuits-

The lighting circuit is connected with 1.5mm PVC cable and protected by a 5 Amp fuse. If the fuse blows- turn the fuse box off and check in each lampholder (where the bulb fits) to see if the 2 bare wires are touching each other. If they are reconnect them properly. If they look alright then check that no wires in the switches or ceiling are touching each other (this is unlikely).

Diag-



Remember that whenever you do any thing with electrics to check that you are not working with a live circuit. You can check this with a mains tester screwdriver. Put your thumb on the end of it (plastic part) unless you have a cut on your thumb and touch the wire with the other end of the screwdriver. If it is live the bulb inside it will light up. It is best to check that the bulb is working first on something you know is live.



## SQUATTING AND THE LAW

Squatting is NOT illegal. There is no crime for occupying a house without the owners consent. It is a civil matter not a criminal offence. By the act of squatting you are committing trespass to land and the owner may sue. However in practice this is rarely, if ever done. Squatting and taking direct action over homelessness, directly challenges the notion of property, ownership and use of land. It is a political action and thus squatters must keep in mind that such political action may come to the attention of the police, the armed wing of the ruling class property owners.

Squatting should be a matter between you and the owner; the police should not be involved since it is not strictly a criminal act. However police generally resent people who control of their own lives and thus may try to involve themselves through criminal charges. It is quite easy to squat and avoid committing a crime through squatting, but you should know the types of offences that the police may try to pin on you. Arrests of squatters are not common, most owners and some police will just want you off the property, it is only in the case of resistance or when you come across the real PIGS that you will probably be arrested.

When attempting to squat , that is before you have entered and secured the place, you could be charged for a number of offences. Remember they have to catch you in the act and remember that the penalties listed are MAXIMUM only, handed down in extreme cases; for minor infringements in situations of homelessness and the recession, the fines are low, and the court can impose bonds, community based orders, suspended sentences, etc with imprisonment only as a last resort- but remember it is THEIR law and THEIR court, not ours).

**Forcible entry-** Taking possession of land by force (breaking in). This applies to squatters, police and sometimes owners alike, unless they have a warrant of possession from the court (max. penalty: 1 year imprisonment or \$12 000 fine or both).

**Criminal damage/ Wilful damage:** Unless caught in the act, it is difficult to prove any damage was caused by you, especially if the place was empty and others have entered and vandalised the property before you squatted it. However it is likely and easy for the police to pin it on you if you have any tools with you when caught. It is best to repair any damage done (whether by you or others) as soon as possible so it can't be pinned on you. (max penalty-Criminal damage-7.5 years imprisonment or \$90,000 fine, Wilful damage- 6 months or \$2,500 fine).

**Possession of implements with intent to commit a burglary** This is when you have been caught with tools, but there has been no break in or they can't prove it. However the police must prove you were intending to steal ( unlikely the case in squatting) or to commit an offence involving criminal damage (also unlikely in the case of squatting, only vandals!), but it could possibly be used against squatters. Don't admit to anything! (max penalty: 3 years or \$36,000 fine).

**Possession of house breaking implements:** This is an alternative to the above offence. It is easier for the police to prove, but is a lesser offence. Don't admit to anything. Although an explanation of lawful purpose could help, once you start talking it is difficult to refuse other tricky questions. Although you have to prove lawful excuse and not the police, save it for the court! (max penalty: 3 years or \$36,000 fine.)

**Unlawful presence on premises without lawful excuse:** Lawful excuse means whether your presence on the premises was excusable and that your conduct may well be innocent or excusable although not legally defensible. The crime is supposedly intended to punish behaviour linked to a criminal purpose or violating community standards of decorum and tranquillity that is likely to put occupants in fear. Attempting to squat empty properties for emergency housing should not fit this definition, and is arguably excusable. (max penalty: 3 years or \$36,000 fine).

While actually squatting there a few offences to be aware of:

**Unlawful presence on premises without lawful excuse:** Much harder to prove when you are actually squatting because you are the occupants. Residing on a property is surely an excuse for being on the property.

**Forcible detainer:** This is resisting eviction in a forceful or violent manner against a person against a person entitled in law to the possession of the land (the owner not the cops) and able and willing to present proof (not cops pretending to be the owner). (max penalty-1 year or \$12,000 fine).

**Wilful Trespass:** A common method of evicting squatters. At this point in time it is still used, but the law may prohibit this method of eviction (a test case needs to be done to challenge this method of eviction). This is when a squatter has been told to leave the property by an owner or their agent and that person refuses or fails to leave. If that person leaves in a reasonable time then no offence has been committed. (max penalty: 6 months or \$2,500 fine).

### Rights

You do NOT have to go to the police station unless you have been arrested for a crime. You must be told what crime you are being arrested for unless you resist arrest.

The police cannot search you before an arrest unless they believe you are carrying drugs or offensive weapons. The police however will always search you if they want regardless of this.

You do not have to give your fingerprints or photo. They can apply for a court order to get your fingerprints if it is necessary to prove identity or guilt. The court doesn't have to give the order if it doesn't think its necessary. They will usually force you to have your photo taken and maybe your fingerprints.

You must be entitled to a phonecall and you could use this chance to contact someone for help and legal assistance.

You do not have to answer any questions AT ALL, either before arrest or during interrogation. You do not have to give your name and address (unless you are picked up in a car) however you will not be given bail until they are sure of your identity. You can give a false name and address and false ID would be good unless they know you have given a false name. You can be charged with hindering police if you give a false name, but not if you stay silent.

You must be informed of your right to remain silent during interrogation. DO NOT SAY ANYTHING!!!! Once you speak, you cannot go back to being silent, it will go against you in court. Nothing can go against you in court for remaining silent to EVERY question (but give your name and address of the squat for bail!!).

You should be allowed bail if the police are fairly certain as to your identity. However if you don't have ID this could be difficult and you'll have to verify it some other way. The police may hold you if they think you will reoffend (re-squat, which isn't an offence!) which may be likely for squatters who can't prove alternative means of accommodation- a friends place may have to do!

If you are not bailed you must be brought before a magistrate within a "reasonable" time- should be no longer than 24 hours- who will either bail you, remand you (only in exceptional circumstances) or hear the charge.

### Eviction

Legally only the owner can evict you or someone acting on the owners behalf. They may evict you themselves, but they can only use reasonable force in doing so or be liable for assault charges. They can't break down the door to evict you, that's forcible entry.

On the other hand, the owner can go to court to get an order of possession. You should receive a summons of the hearing in your letter box or on the door. You do not have to attend and it is useless to do so as the court will rubber stamp the owners claim. The sheriff will enforce the order, breaking down the door and evicting you. There is not much you can, but start looking for a new place when you receive a summons.

However the cost and time delay of a court hearing has forced owners to evict in another way, using the Wilful Trespass charge. You will be told by the owner to leave or face arrest. If you leave nothing will happen. If you don't you will be arrested. It is not clear whether the police can break in to arrest you for Wilful Trespass. They probably will, but try to stall them by claiming this forcible entry unless they have a court order. However this may make the police more determined to break in.

### MEDIA MYTHS ABOUT SQUATTING...

A lot of people are afraid of squatters because of the lies propagated by the pro-landleech media: here's some of the arguments you might come up against and some snappy answers ...

LIE: Squats lower the tone of the neighbourhood.

ANSWER: The biggest threat to working class suburbs (especially the inner city) comes from yuppies - not other working class people like squatters.

Yuppies force the price of living in an area up by being able to pay more. They create extra demand on housing, leading to higher rents, turn local pubs into wine bars and local delis into 'gourmet take aways'. Likewise local schools get closed or run down as yuppies sent their kids to private schools. Just ask a friend what it's like living in Sth Melbourne or Carlton these days - if they haven't been evicted yet, that is..

Meanwhile squatters send their kids to local schools, use and defend local community services, stop houses becoming derelict and alleviate pressure of the rental market thereby reducing rents.

Who would you want as a neighbour - a yuppie or a squatter ...

LIE: Squatters jump the queue ...

ANSWER: There shouldn't be a queue for housing when there are 10,000 empty houses in Melbourne. If a government was serious about solving the housing crisis, they'd force these houses to be used ... but don't hold your breath. If the government forced the homes to be used, it would break the back of the high private rents in this city - and we all know who has the government's ear! That's why poor people have to squat, and make sure that as much of the empty housing as possible is used - thereby benefiting the whole community.

LIE: Squatters trash houses ...

ANSWER: A few squatters do trash houses - just as some tenants do - and the Squatters Information Service will not support them. However empty houses run down if no one lives in them or they get vandalised. And most squatters have to make a lot of repairs to make their homes livable.

Anyway the real house wreckers are the businesses who have been demolishing thousands of homes in the inner city since the war. Developers out only to make profits are still destroying communities - with St. Kilda a recent example.

Vandalism is far worse when the vandals are getting paid for it ... and according to leaked MOH documents, MOH policy is to rip out the toilets to make houses unlivable. They also chainsaw up the floorboards. Aren't they the real vandals?

LIE: Squatters are bludgers ...

ANSWER: There are some bludgers in this country - but we never get to see them because they hide behind reflected glass in Mercs and behind guarded walls in Toorak. The millionaires in Australia are the real bludgers and they are the only people who benefit from working class people attacking each other.

The rich have had tax cuts after tax cuts, that is if they actually pay tax (Alan Bond once only paid 1% tax!) and have become richer and richer. Isn't it about time we started looking for the real bludgers in this country?

LIE: Squatters move in while you're on holiday ...

ANSWER: This is the worst one ... squatters need a home not a place to get evicted from. Obviously if someone is on holiday, the house will look lived in and no one will move in.

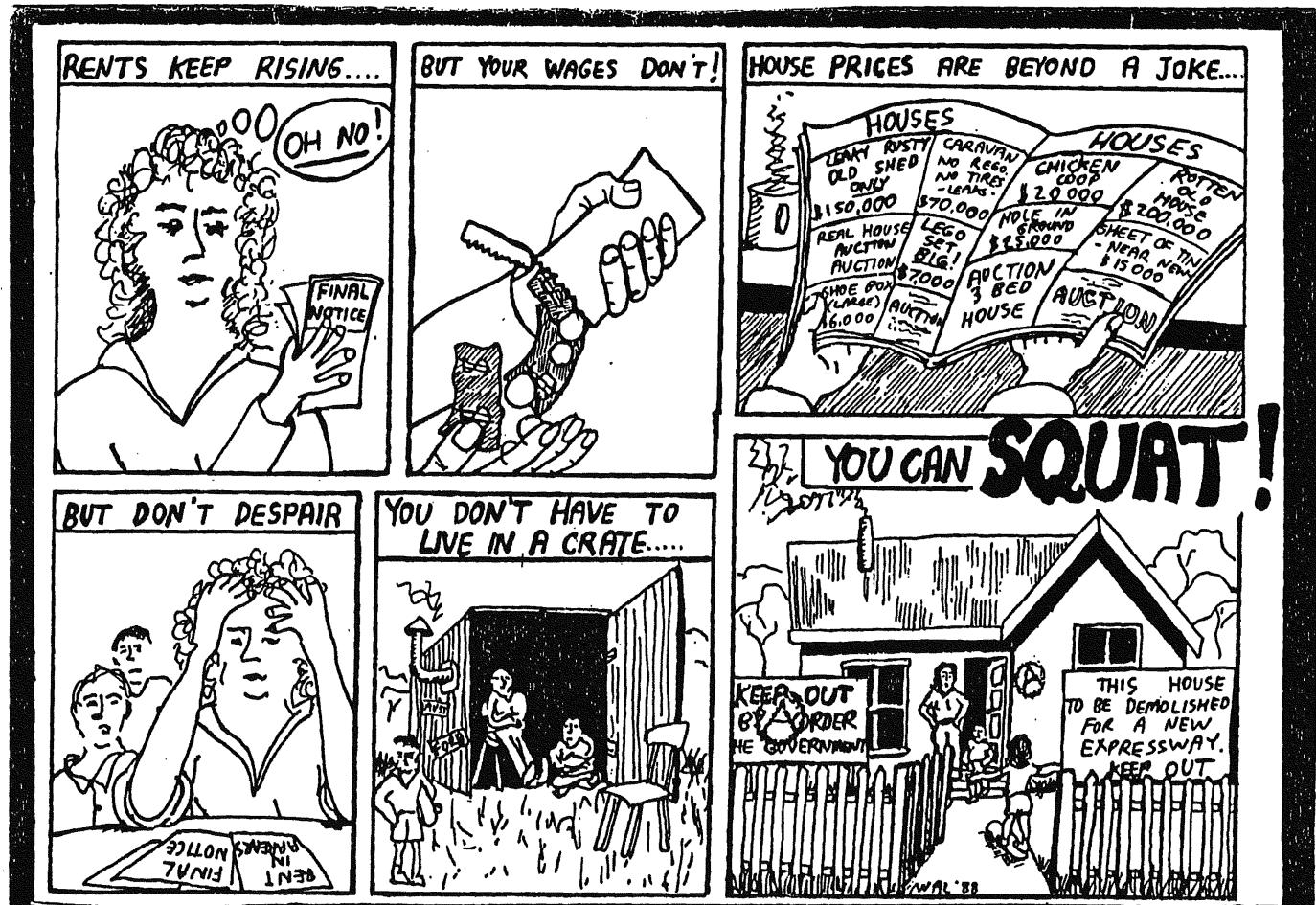
## WHO WE ARE.

Squatters' Information Network (S.I.N.) is a phone service operated by and for squatters and their supporters. We primarily provide information on squatters' rights, home repairs, negotiating with owners etc. and also keep a list of empty houses that are available for squatting. Secondary to that we'd like to help squatters network with other squatters, people willing to help resist evictions, lawyers, tradespeople etc. Currently that isn't really happening so if you have any skills you'd like to offer squatters get in touch. Anyone who has seen an empty house or wants to help with the phone line should also give us a ring on

(03) 650 5442

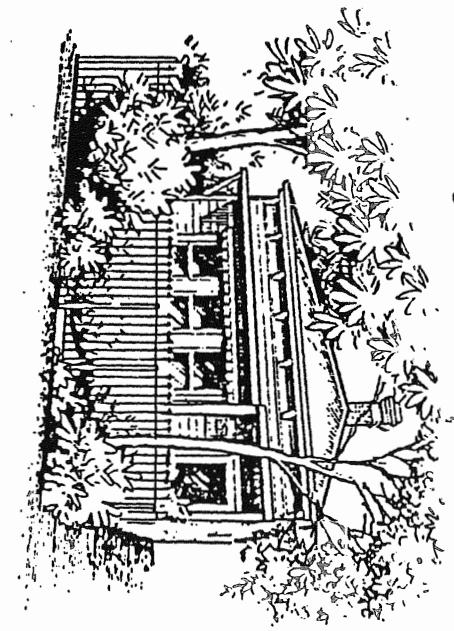
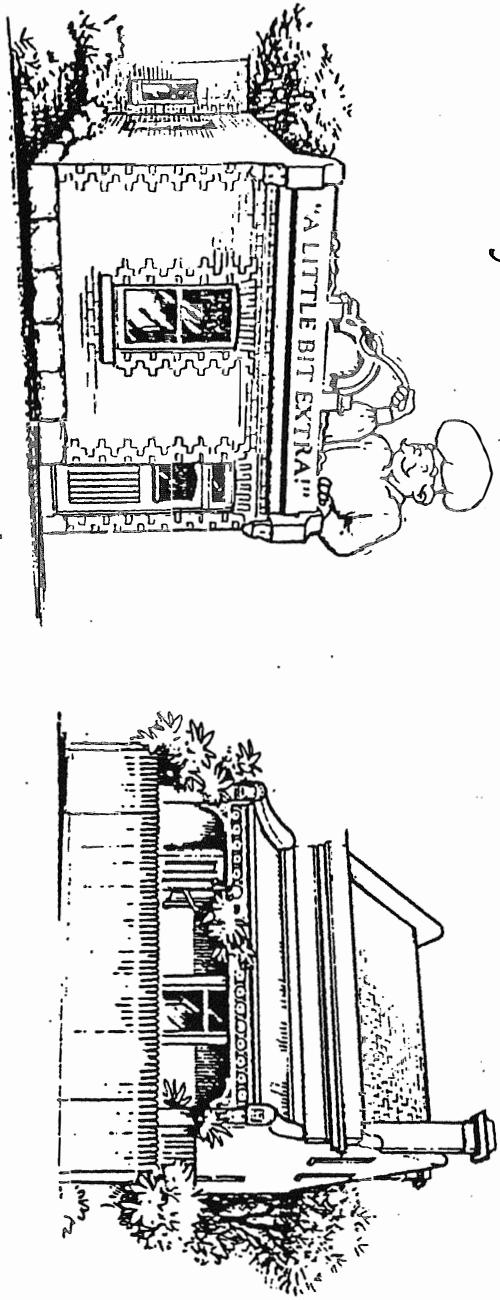
on Fridays between 1 and 5 p.m. (we also have an answering machine). If you think we've left anything out or need further advice don't hesitate to call.

P.S. Any donations for this booklet or our phone line are of course welcome!



With empty houses  
everywhere...  
And 1000's on the street  
or struggling to pay  
rent...

Why not Squat!



All sorts of empty properties can accomodate people without them having to pay rent. Whilst some houses are in poor condition, many aren't. You can get the power, gas and water connected and fix or renovate the place as you wish- squatting opens up the opportunities renting denies.

Rents can be extremely hard to afford and suitable housing difficult to secure- especially if you're unemployed, under 18 or a student. Squatting can immediately solve your housing needs.

Indeed- Why not? Squatters Information Service is here to help you with advice and information for prospective and current squatters including a list of empty properties. Alternatively if you are squatting, see an empty house or can assist squatters with legal, plumbing, electrical, advice, etc then get in touch.

# Squatters Information Service

FRIDAYS 1-5 pm. Phone- 650 5442.